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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

Paper No. 18

Application Number: 09/313,297

Filing Date: May 17, 1999

Appellant(s): Joseph C. Kawan et al.

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John M. Harrington, Reg. No. 25,592  
For Appellant

EXAMINER'S ANSWER

This is in response to Appellant's brief on appeal filed June 16, 2003.

(1) *Real Party in Interest*

A statement identifying the real party in interest is contained in the brief.

(2) *Related Appeals and Interferences*

A statement indicating that there are no related appeals and interferences which will directly affect or be directly affected by or have a bearing on the decision in the pending appeal is contained in the brief.

(3) *Status of Claims*

The statement of the status of the claims contained in the brief is correct.

(4) *Status of Amendments After Final*

The Appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) *Summary of Invention*

The summary of invention contained in the brief is correct.

(6) *Issues*

The appellant's statement of the issues in the brief is correct.

(7) *Grouping of Claims*

**AGREEMENT WITH REASONS WHY CLAIMS DO NOT STAND OR FALL  
TOGETHER**

Appellant's brief includes a statement that the claims do not stand or fall together and provides reasons as set forth in 37 CFR 1.192(c)(7) and (c)(8).

(8) *ClaimsAppealed*

**COPY OF APPEALED CLAIMS IN APPENDIX IS CORRECT**

A correct copy of appealed claims appears in Appellant's brief.

(9) *Prior Art of Record*

The following is a listing of the prior art of record relied upon in the rejections of claims under appeal.

| Number       | Name               | Date               |
|--------------|--------------------|--------------------|
| US 6,105,001 | <u>Masi et al.</u> | August 15, 2000    |
| US 5,453,601 | <u>Rosen</u>       | September 26, 1995 |

(10) *Grounds of Rejection*

The following ground(s) of rejection are applicable to the appealed claims:

**Claims 1-69 stand rejected under 35 U.S.C. 103(a).**

**These rejections set forth from the prior Office Actions as follows:**

**CLAIM REJECTIONS — 35 U.S.C. §103(a)**

**Rejections Maintained.**

**FINAL REJECTION**

**ORIGINAL CLAIM REJECTIONS — 35 U.S.C. §103(a)**

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

1. Independent claims 1 & 52 and dependent claims 2-51 and 53-66 are rejected under 35 U.S.C. §103(a) as being unpatentable over Masi et al. 6,105,001 (15/08/2000) [US f/d: 15/08/1997] class 705/14 (herein referred to as “Masi”) in view of Rosen 5,453,601 (26/09/1995) class 705/65 (herein referred to as “Rosen”).

As per claim 1, Masi (col. 2, ll. 13-62) discloses: “*an exemplary non-cash payment and commission system according to the invention. The system is adapted for managing purchases of goods or services by members (i.e., persons or distributors) of a network marketing . . . organization. . . . the proprietor of each merchant location agrees to provide a discount for each purchase of goods or services by the member as a*

*proportion of the purchase price of such goods or services, or as a fixed amount per purchase. . . . a computer site being used to sell products through a network. . . . The terminal . . . is then operative to activate the electronic communication interface . . . to establish an electronic data connection . . . with a debit authorization and transaction processor. . . . In embodiments wherein the communication interface . . . comprises a modem, the data connection . . . may be a telephonic connection. In other embodiments,*

*alternative known methods of electronic data transmission may be employed to establish the data connection. . . .”*

Masi (col. 3, ll. 19-40) discloses: “*When a purchase is approved, the authorization processor . . . transmits an electronic authorization signal along the data connection . . . to the purchase processing terminal . . . at the merchant location. . . . When a purchase is approved by the processor . . . the processor . . . then establishes a data connection . . . with an automated clearing house (ACH) processor. . . . The ACH processor . . . is further connected with an electronic funds transfer network 18 for effecting electronic transfers of funds among a merchant account . . . a member account . . . and an organization account. . . . For each purchase, the authorization processor . . . instructs the ACH processor . . . to effect the following electronic fund transfers: a debit to the member account . . . a credit to the merchant account . . . a debit to the merchant*

*account . . . and a credit to the organization account . . . in the amount of the discount or fixed amount.”*

Masi (col. 3, ll. 42-44) discloses: “*the authorization processor . . . is configured to transmit purchase data to a commission management system . . . maintained by the network marketing organization.*”

Masi (col. 3, ll. 58-64) discloses: “*a Personal Business Volume field . . . for storing a record of purchase discounts, or a portion thereof, attributable to the member's use of the debit card. . . .*”

Masi (col. 4, ll. 12-14) discloses: “*stores the new value of the member's Personal Business volume in the member's record . . . in the database. . . .*”

Masi (col. 5, ll. 1-6) discloses: “*Member A would be required to accumulate \$50 of Personal Business volume in order to qualify for receipt of commissions. . . .*”

Masi (col. 5, ll. 17-20) discloses: “*In an alternative embodiment, the payment processor subsystem . . . may effect an electronic fund transfer . . . from the organization account . . . to the member account. . . .*”

Masi (the ABSTRACT; FIG. 1; col. 2, ll. 13-62; col. 3, ll. 19-40; col. 3, ll. 42-44; col. 3, ll. 58-64; col. 4, ll. 12-14; col. 5, ll. 1-6; and col. 5, ll. 17-20) shows elements that suggest: “A method of performing a transaction between a merchant and a member with electronic scrip, comprising: receiving information relating to the transaction between the merchant and the member, including a transaction amount; automatically debiting an

account of the member by the transaction amount; automatically crediting a predetermined merchant portion of the transaction amount to an account of the merchant; and automatically crediting a predetermined balance portion of the transaction amount to at least one of a sponsoring organization account and a scrip distributor account.”

Masi lacks an explicit recital of “electronic scrip” even though Masi (col. 5, ll. 17-20; and col. 3, ll. 19-40) discloses “*an electronic fund transfer*” which suggests electronic scrip.

Rosen (the ABSTRACT; and col. 4, ll. 6-12) discloses “*electronic money*.” The Examiner interprets the disclosure of “*electronic money*” as equivalent to “electronic scrip” within the context of the claims of the instant invention; therefore,

Rosen proposes “*electronic money*” modifications that would have applied to the non-cash transaction system of Masi. It would have been obvious to a person of ordinary skill in the art at the time of the invention that “*electronic money*” would have been selected in accordance with “electronic scrip” because such selection would have facilitated online commercial transactions; and it would have been obvious to a person of ordinary skill in the art at the time of the invention to combine the “*electronic money*” modifications of Rosen with the non-cash transaction system of Masi because such “*electronic money*” would have been “*interchangeable with conventional paper money. . .*” (See Rosen col. 4, ll. 9-10).

Masi lacks an explicit recital of “a scrip distributor. . . .” even though Masi (col. 3, ll. 23-27; col. 5, ll. 17-20; and col. 1, ll. 55-58) shows elements that suggest “a scrip distributor. . . .”

Rosen (the ABSTRACT; col. 3, ll. 46-47; col. 4, ll. 45-48) shows elements that suggest “a scrip distributor.”

Rosen proposes electronic money distribution modifications that would have applied to the non-cash transaction system of Masi. It would have been obvious to a person of ordinary skill in the art at the time of the invention to combine the electronic money distribution modifications of Rosen with the non-cash transaction system of Masi because such electronic money distribution modifications would have been provided means for distributing electronic money that was “*interchangeable with conventional paper money. . . .*” (See Rosen col. 4, ll. 9-10).

As per claim 2, Masi in view of Rosen shows the method of claim 1. (See the rejection of claim 1 supra).

Masi (FIG. 1; col. 2, ll. 36-37; col. 2, ll. 41-42; and col. 2, ll. 51-52) shows a “*Terminal*” for “*data entry. . . .*”

Masi lacks an explicit recital of “receiving information further comprises entering the information at a terminal.” It would have been obvious to a person of ordinary skill in the art at the time of the invention that a “*Terminal*” for “*data entry. . . .*” would have

been selected in accordance with “receiving information further comprises entering the information at a terminal. . . .” because such selection would have facilitated online commercial transactions.

Rosen (the ABSTRACT; col. 3, ll. 46-47; col. 4, ll. 45-48) shows elements that suggest “a scrip distributor”; (see the rejection of claim 1 supra).

As per claim 3, Masi in view of Rosen shows the method of claim 2. (See the rejection of claim 2 supra).

Masi (FIG. 1, el. 18; and col. 3, ll. 23-27) shows a “*network*. . . .”

Masi (FIG. 1; col. 2, ll. 36-37; col. 2, ll. 41-42; and col. 2, ll. 51-52) shows a “*Terminal*” for “*data entry*. . . .”

Masi lacks an explicit recital of “the terminal coupled over a network at least one of a system manager terminal and a scrip distributor. . . .” even though Masi (FIG. 1, el. 18; col. 3, ll. 23-27; FIG. 1; col. 2, ll. 36-37; col. 2, ll. 41-42; and col. 2, ll. 51-52) shows elements that suggest “the terminal coupled over a network at least one of a system manager terminal and a scrip distributor. . . .” It would have been obvious to a person of ordinary skill in the art at the time of the invention that the disclosure of Masi (FIG. 1, el. 18; col. 3, ll. 23-27; FIG. 1; col. 2, ll. 36-37; col. 2, ll. 41-42; and col. 2, ll. 51-52) would have been selected in accordance with “the terminal coupled over a network at least one

of a system manager terminal and a scrip distributor. . . .” because such selection would have facilitated online commercial transactions.

As per claim 4, Masi in view of Rosen shows the method of claim 2. (See the rejection of claim 2 supra).

Masi (FIG. 1; col. 2, ll. 36-37; col. 2, ll. 41-42; and col. 2, ll. 51-52) shows a “*Terminal*” for “*data entry*. . . .”

Masi lacks an explicit recital of “a merchant terminal”; even though Masi (FIG. 1; col. 2, ll. 36-37; col. 2, ll. 41-42; and col. 2, ll. 51-52) shows a “*Terminal*” for “*data entry*. . . .” that suggests same. It would have been obvious to a person of ordinary skill in the art at the time of the invention that the disclosure of Masi (FIG. 1; col. 2, ll. 36-37; col. 2, ll. 41-42; and col. 2, ll. 51-52) would have been selected in accordance with “a merchant terminal. . . .” because such selection would have facilitated online commercial transactions.

As per claim 5, Masi in view of Rosen shows the method of claim 2. (See the rejection of claim 2 supra).

Masi (FIG. 1; col. 2, ll. 36-47; col. 2, ll. 41-42; and col. 2, ll. 51-52) shows elements that suggest “entering data for the member from a scrip card at the terminal.”

Masi lacks an explicit recital of “entering data for the member from a scrip card at the terminal”; even though Masi (FIG. 1; col. 2, ll. 36-47; col. 2, ll. 41-42; and col. 2, ll. 51-52) suggests same. It would have been obvious to a person of ordinary skill in the art at the time of the invention that the disclosure of Masi (FIG. 1; col. 2, ll. 36-47; col. 2, ll. 41-42; and col. 2, ll. 51-52) would have been selected in accordance with “entering data for the member from a scrip card at the terminal. . . .” because such selection would have facilitated online commercial transactions.

As per claim 6 Masi in view of Rosen shows the method of claim 5. (See the rejection of claim 5 supra).

Masi (FIG. 1; col. 2, ll. 36-47; col. 2, ll. 41-42; and col. 2, ll. 51-52) shows elements that suggest “entering data for the member from a magnetic stripe scrip card at the terminal.”

Masi lacks an explicit recital of “entering data for the member from a magnetic stripe scrip card at the terminal”; even though Masi (FIG. 1; col. 2, ll. 36-47; col. 2, ll. 41-42; and col. 2, ll. 51-52) suggests same. It would have been obvious to a person of ordinary skill in the art at the time of the invention that the disclosure of Masi (FIG. 1; col. 2, ll. 36-47; col. 2, ll. 41-42; and col. 2, ll. 51-52) would have been selected in accordance with “entering data for the member from a magnetic stripe scrip card at the terminal. . . .” because such selection would have facilitated online commercial transactions.

As per claim 7 Masi in view of Rosen shows the method of claim 5. (See the rejection of claim 5 supra).

Masi (FIG. 1; col. 2, ll. 36-47; col. 2, ll. 41-42; and col. 2, ll. 51-52) shows elements that suggest "entering data for the member from a magnetic stripe scrip card at the terminal."

Masi lacks an explicit recital of "entering data from an application on a smart s card for the member at the terminal."

Rosen (col. 2, ll. 15-22) discloses "*smart cards . . .*"

Rosen proposes "*smart card*" modifications that would have applied to the non-cash transaction system of Masi. It would have been obvious to a person of ordinary skill in the art at the time of the invention to combine the *smart card*" modifications of Rosen with the non-cash transaction system of Masi because such electronic money distribution modifications would have been provided means for distributing electronic money that was "*interchangeable with conventional paper money. . .*" (See Rosen col. 4, ll. 9-1).

As per claim 8 Masi in view of Rosen shows the method of claim 5. (See the rejection of claim 5 supra).

Masi (col. 2, ll. 24-27; and col. 3, ll. 58-62) shows elements that suggest "the c further comprises an account number for the member."

Masi lacks an explicit recital of "the data further comprises an account numb the member"; even though Masi (col. 2, ll. 24-27; and col. 3, ll. 58-62) suggests same. It would have been obvious

to a person of ordinary skill in the art at the time of the invention that the disclosure of Masi (col. 2, ll. 24-27; and col. 3, ll. 58-62) "*encoding member information thereon, such as by magnetically encoding an account number of the member on a magnetic stripe. . . .*" would have been selected in accordance with "the data further comprises an account number for the member . . . ." because such selection would have facilitated online individualized commercial transactions.

As per claim 9 Masi in view of Rosen shows the method of claim 1. (See the rejection of claim 1 supra).

Masi (col. 4, ll. 4-13; and FIG. 1, el. 26) discloses a: "*commission management system . . . .*"; the Examiner interprets this disclosure as suggesting a system manager.

Masi (col. 3, ll. 23-30) discloses an "*ACH processor . . . to effect . . . electronic fund transfers . . . .*"; the Examiner interprets this disclosure as suggesting "a scrip distributor . . . ."

Masi lacks an explicit recital of "a scrip distributor . . . ." even though Masi (col. 3, ll. 23-30; col. 5, ll. 17-20; and col. 1, ll. 55-58) shows elements that suggest "a scrip distributor . . . ."

Rosen (the ABSTRACT; col. 3, ll. 46-47; col. 4, ll. 45-48) shows elements that suggest "a scrip distributor."

Rosen proposes electronic money distribution modifications that would have applied to the non-cash transaction system of Masi. It would have been obvious to a person of ordinary skill in the art at the time of the invention to combine the electronic money distribution modifications of Rosen with the non-cash transaction system of M: because such electronic money distribution modifications

would have provided means distributing electronic money that was "*interchangeable with conventional paper money . . .*" (See Rosen col. 4, ll. 9-10).

Masi lacks an explicit recital of "wherein receiving information further comprises: receiving the information by at least one of a system manager at a system manager terminal and a scrip distributor at a scrip distributor terminal." It would have been obvious to a person of ordinary skill in the art at the time of the invention that the disclosure of Masi (col. 4,ll. 4-13; FIG. 1, el. 26; col. 3, ll. 23-30; col. 5,ll. 17-20; and col. 1,ll. 55-58) in view of the disclosure of Rosen (the ABSTRACT; col. 3,ll. 46-47; col. 4, ll. 45-48) would have been selected in accordance with "wherein receiving information further comprises receiving the information by at least one of a system manager at a system manager terminal and a scrip distributor at a scrip distributor terminal . . ." because such electronic money distribution would have provided means distributing electronic money that was "*interchangeable with conventional paper money . . .*" (See Rosen (col. 4, ll. 9-10)).

As per claim 10 Masi in view of Rosen shows the method of claim 9. (See the rejection of claim 9 supra).

Masi (col. 4, ll. 4-13; FIG. 1, el. 26; col. 3,ll. 23-30; col. 5,ll. 17-20; and col. 1, 55-58) in view of the disclosure of Rosen (the ABSTRACT; col. 3,ll. 46-47; col. 4, ll. 45-48) show elements that suggest "wherein receiving information further comprises receiving the information by a system manager at a system manager from a merchant terminal . . ."

Masi (col. 3,ll. 23-27; and FIG. 1, el. 18) discloses a: "*network.*"

Masi lacks an explicit recital of "wherein receiving the information further comprises receiving the information by the system manager at the system manager from the merchant terminal over a network." It would have been obvious to a person of ordinary skill in the art at the time of the invention that the disclosure of Masi (col. 3, ll. 23-27; r FIG. 1, el. 18) discloses a: "*network*." combined with the disclosure of Masi (col. 4, 4-13; FIG. 1, el. 26; col. 3, ll. 23-30; col. 5, ll. 17-20; and col. 1, ll. 55-58) in view of the disclosure of Rosen (the ABSTRACT; col. 3, ll. 46-47; col. 4, ll. 45-48) would have b, selected in accordance with "wherein receiving the information further comprises receiving the information by the system manager at the system manager from a merchant terminal over a network . . ." because such electronic money distribution would have provided means for distributing electronic money that was "*interchangeable with convention paper money* . . ." (See Rosen col. 4, ll. 9-10).

As per claim 11 Masi in view of Rosen shows the method of claim 9. (See the rejection of claim 9 supra).

Masi (col. 3, ll. 23-27; and FIG. 1, 18) discloses a: "*network*."  
Masi lacks an explicit recital of "wherein receiving the information further comprises receiving the information by the scrip distributor at the scrip distributor terminal from a merchant terminal over a network." It would have been obvious to a person of ordinary skill in the art at the time of the invention that the disclosure of Masi (col 3, ll. 23-27; and FIG. 1, el. 18) disclosing a" "*network*", combined with the disclosure of Masi (col. 4, ll. 4-13; FIG. 1, el. 26; col. 3, ll. 23-30; col. 5, ll. 17-20;

and col. 1, ll. 55-58) in view of the disclosure of Rosen (the ABSTRACT; col. 3,ll. 46-47; col. 4,ll. 45-48) would have been selected, accordance with “wherein receiving the information further comprises receiving the information by the scrip distributor at the scrip distributor terminal from a merchant terminal over a network. . . .” because such electronic money distribution over a network would have provided means for distributing electronic money that was *“interchangeable with conventional paper money . . . .”* (See Rosen col. 4,ll. 9-10).

Claim 12 is rejected for substantially the same reasons as claim 9.

Claim 13 is rejected for substantially the same reasons as claim 10.

Claim 14 is rejected for substantially the same reasons as claim 11.

As per claim 15, Masi in view of Rosen shows the method of claim 12. Masi (col. 2, ll. 24-27; and col. 3, ll. 58-62) shows elements that suggest “the member account number.”

Masi (col. 2, ll. 64-67) discloses showing “the identity of the merchant. . . .” Masi lacks an explicit recital of “wherein receiving the request further comprises receiving data identifying at least one of the member account and the merchant.” It would have been obvious to a person of ordinary skill in the art at the time of the invention that the disclosure of Masi (col. 2, ll.

24-27; and col. 3, ll. 58-62) "encoding member information thereon, such as by magnetically encoding an account number of the member on a magnetic stripe. . . ." would have been selected in accordance with "receiving data identifying at least the member account number and the merchant. . . ." because such selection would have facilitated online individualized commercial transactions."

As per claim 16 Masi in view of Rosen shows the method of claim 1. (See the rejection of claim 1 supra).

Masi (col. 3, ll. 23-27; and FIG. 1, 18) discloses a: "*network*."

Masi lacks an explicit recital of "wherein automatically debiting further comprises automatically sending a request for the transaction from a terminal over a network to at least one of a system manager at a system manager terminal and a scrip distributor at a scrip distributor terminal. . . ." It would have been obvious to a person of ordinary skill in the art at the time of the invention that the disclosure of Masi (col. 3, ll. 23-27; and FIG. 1, el. 18) disclosing a: "network", combined with the disclosure of Masi (col. 4, ll. 4-13; FIG. 1, el. 26; col. 3, ll. 23-30; col. 5, ll. 17-20; and col. 1, ll. 55-58) n view of the disclosure of Rosen (the ABSTRACT; col. 3, ll. 46-47; col. 4, ll. 45-48 would have been selected in accordance with "wherein automatically debiting further comprises automatically sending a request for the transaction from a terminal over a network to at least one of a system manager at a system manager terminal and a scrip distributor at a scrip distributor terminal . . . ." because such electronic money distribution over a network would have provided means for

distributing electronic money that was "*interchangeable with conventional paper money . . .*" (See Rosen col. 4,ll. 9-10).

As per claim 17 Masi in view of Rosen shows the method of claim 16. (See the rejection of claim 16 supra).

Masi lacks an explicit recital of "wherein automatically sending the request to system manager further comprises receiving the request by the system manager at the system manager terminal."

"Official Notice" is taken that both the concept and the advantages of "automatically sending the request to the system manager further comprises receiving request by the system manager at the system manager terminal . . ." were well known and expected in the art by one of ordinary skill at the time of the invention; it would have obvious to include the concept and the advantages of "automatically sending the request to the system manager further comprises receiving the request by the system manager at the system manager terminal . . ." because such a concept and advantages were known to make computer operation and management more intuitive.

As per claim 18 Masi in view of Rosen shows the method of claim 17. (See the rejection of claim 17 supra).

Masi (col. 2,ll. 24-27; and col. 3,ll. 58-62) shows elements that suggest "the data further comprises an account number for the member."

Masi lacks an explicit recital of "wherein receiving the request by the system manager further comprises receiving data by the system manager identifying at least one of the member account and the member." It would have been obvious to a person of ordinary skill in the art at the time of the invention that the disclosure of Masi (col. 2, ll. 24-27; and col. 3, ll. 58-62) "*encoding member information thereon, such as by magnetically encoding an account number of the member on a magnetic stripe . . .*" would have been selected in accordance with "wherein receiving the request by the system manager further comprises receiving data by the system manager identifying at least one of the member account and the member . . ." because such selection would have facilitated online individualized commercial transactions.

As per claim 19 Masi in view of Rosen shows the method of claim 18. (See the rejection of claim 18 supra).

Masi (col. 2, ll. 48-55; col. 2, ll. 64-67; col. 3, ll. 1-12; and col. 5, ll. 53-67) shows elements that suggest "wherein receiving the data by the system manager further comprises confirming a balance by the system manager in the identified member account adequate to cover the transaction amount."

Masi lacks an explicit recital of "wherein receiving the data by the system manager further comprises confirming a balance by the system manager in the identified member account adequate to cover the transaction amount." It would have been obvious to a person of ordinary skill in the art at the time of the invention that the disclosure of Masi (col. 3, ll. 1-12) "*assessing whether there is*

*an acceptably low risk of do fault on the amount of the purchase. . . . the authorization processor may make such determination obtaining access to a member's debit account balance . . . . " would have been selected accordance with "wherein receiving the data by the system manager further comprise confirming a balance by the system manager in the identified member account adequate to cover the transaction amount. . . ." because such selection would have facilitated online individualized commercial transactions.*

As per claim 20 Masi in view of Rosen shows the method of claim 19. (See the rejection of claim 19 supra).

Masi lacks an explicit recital of: "confirming the balance by the system manager further comprises confirming the balance by the system manager in at least one account of the member selected form a group consisting of a member scrip account, a member checking account, and a member savings account."

"Official Notice" is taken that both the concept and the advantages of "confirming the balance by the system manager further comprises confirming the balance by the system manager in at least one account of the member selected form a group consisting of a member scrip account, a member checking account, and a member savings account. . . ." were well known and expected in the art by one of ordinary skill at the time of the invention; it would have been obvious to include the concept and the advantages "confirming the balance by the system manager further comprises confirming the balance by the system manager in at least one account of the member selected form a group consisting

of a member scrip account, a member checking account, and a member savings account. . . ." because such selection would have facilitated online individualized commercial transactions.

As per claim 21 Masi in view of Rosen shows the method of claim 16. (See the rejection of claim 16 supra).

Masi lacks an explicit recital of "wherein automatically sending the request to the scrip distributor further comprises receiving the request by the scrip distributor at the scrip distributor terminal."

"Official Notice" is taken that both the concept and the advantages of "automatically sending the request to the scrip distributor further comprises receiving the request by the scrip distributor at the scrip distributor terminal . . ." were well known and expected in the art by one of ordinary skill at the time of the invention; it would have been, obvious to include the concept and the advantages of "automatically sending the request to the scrip distributor further comprises receiving the request by the scrip distributor at the scrip distributor terminal . . ." because such a concept and advantages were known make computer operation and management more intuitive.

As per claim 22 Masi in view of Rosen shows the method of claim 21. (See the rejection of claim 21 supra).

Masi lacks an explicit recital of "wherein receiving the request by the scrip distributor further comprises receiving data by the scrip distributor identifying at least one of the member account and the member."

"Official Notice" is taken that both the concept and the advantages of "wherein receiving the request by the scrip distributor further comprises receiving data by the scrip distributor identifying at least one of the member account and the member. . ." were known and expected in the art by one of ordinary skill at the time of the invention; it would have been obvious to include the concept and the advantages of "wherein receiving the request by the scrip distributor further comprises receiving data by the scrip distributor identifying at least one of the member account and the member. . ." because such selection would have facilitated online individualized commercial transactions.

As per claim 23 Masi in view of Rosen shows the method of claim 22. (See the rejection of claim 22 supra).

Masi lacks an explicit recital of "wherein receiving the data by the scrip distributor further comprises confirming a balance by the scrip distributor in the identified member account adequate to cover the transaction amount."

"Official Notice" is taken that both the concept and the advantages of "wherein receiving the data by the scrip distributor further comprises confirming a balance by the scrip distributor in the identified member account adequate to cover the transaction amount. . ." were well known and expected in the art by one of ordinary skill at the time of the invention; it would have been obvious

to include the concept and the advantages "wherein receiving the data by the scrip distributor further comprises confirming a balance by the scrip distributor in the identified member account adequate to cover the transaction amount. . ." because such selection would have facilitated online individualized commercial transactions.

As per claim 24 Masi in view of Rosen shows the method of claim 23. (See the rejection of claim 23 supra).

Masi lacks an explicit recital of: "confirming the balance by the scrip distributor further comprises confirming the balance by the scrip distributor in at least one account of the member selected from a group consisting of a member scrip account, a member checking account, and a member savings account."

"Official Notice" is taken that both the concept and the advantages of "confirming the balance by the scrip distributor further comprises confirming the balance by the scrip distributor in at least one account of the member selected from a group consisting of a member scrip account, a member checking account, and a member savings account. . ." were well known and expected in the art by one of ordinary skill at the time of the invention; it would have been obvious to include the concept and the advantages "confirming the balance by the scrip distributor further comprises confirming the balance by the scrip distributor in at least one account of the member selected from a group consisting of a member scrip account, a member checking account, and a member savings account. . ." because such selection would have facilitated online individualized commercial transactions.

As per claim 25, Masi in view of Rosen shows the method of claim 1.

Masi lacks an explicit recital of "wherein automatically debiting the member account further comprises automatically debiting at least one account of the member selected from a group consisting of a scrip account, a banking account, and a checking account."

"Official Notice" is taken that both the concept and the advantages of "wherein automatically debiting the member account further comprises automatically debiting at least one account of the member selected from a group consisting of a scrip account, a banking account, and a checking account . . ." were well known and expected in the art by one of ordinary skill at the time of the invention; it would have been obvious to include the concept and the advantages of "wherein automatically debiting the member account further comprises automatically debiting at least one account of the member selected from a group consisting of a scrip account, a banking account, and a checking account . . ." because such selection would have facilitated online individualized commercial transactions.

As per claim 26 Masi in view of Rosen shows the method of claim 25. (See the rejection of claim 25 supra).

Masi lacks an explicit recital of "wherein automatically debiting the member account further comprises storing data in the member scrip account representing member scrip credit."

"Official Notice" is taken that both the concept and the advantages of "wherein automatically debiting the member scrip account further comprises storing data in the member scrip account representing member scrip credit . . ." were well known and expected in the art by one of ordinary skill at the time of the invention; it would have been obvious to include the concept and the advantages of "wherein automatically debiting the member scrip account further comprises storing data in the member scrip account representing member scrip credit . . ." because such selection would have facilitated online individualized commercial transactions.

As per claim 27 Masi in view of Rosen shows the method of claim 26. (See the rejection of claim 26 supra).

Masi lacks an explicit recital of "wherein the data representing member scrip credit further comprises transferring the member scrip credit from at least one of a sponsoring organization account and a scrip distributor account."

"Official Notice" is taken that both the concept and the advantages of "wherein the data representing member scrip credit further comprises transferring the member sc. credit from at least one of a sponsoring organization account and a scrip distributor account . . ." were well known and expected in the art by one of ordinary skill at the time of the invention; it would have been obvious to include the concept and the advantage "wherein the data representing member scrip credit further comprises transferring the member scrip credit from at least one of a

sponsoring organization account and a scrip distributor account . . ." because such selection would have facilitated online individualized commercial transactions.

As per claim 28 Masi in view of Rosen shows the method of claim 27. (See the rejection of claim 27 supra).

Masi lacks an explicit recital of "wherein transferring the member scrip credit to the organization account further comprises storing data in the organization account representing organization scrip credit."

"Official Notice" is taken that both the concept and the advantages of "wherein transferring the member scrip credit from the organization account further comprises storing data in the organization account representing organization scrip credit . . ." were well known and expected in the art by one of ordinary skill at the time of the invention; would have been obvious to include the concept and the advantages of "wherein transferring the member scrip credit from the organization account further comprises storing data in the organization account representing organization scrip credit . . ." because such selection would have facilitated online individualized commercial transactions.

As per claim 29 Masi in view of Rosen shows the method of claim 28. (See the rejection of claim 28 supra).

Masi lacks an explicit recital of "wherein storing the data representing organization scrip credit further comprises transferring the organization scrip credit from scrip distributor account." "Official Notice" is taken that both the concept and the advantages of "wherein storing the data representing organization scrip credit further comprises transferring the organization scrip credit from a scrip distributor account. . . ." were well known and expected in the art by one of ordinary skill at the time of the invention; it would have been obvious to include the concept and the advantages of "wherein storing the data representing organization scrip credit further comprises transferring the organization scrip credit from a scrip distributor account . . ." because such selection would have facilitated online individualized commercial transactions.

As per claim 30 Masi in view of Rosen shows the method of claim 29. (See the rejection of claim 29 supra).

Masi lacks an explicit recital of "wherein transferring the organization scrip credit further comprises storing data in the scrip distributor account representing distributor s credit." "Official Notice" is taken that both the concept and the advantages of "wherein transferring the organization scrip credit further comprises storing data in the scrip distributor account representing distributor scrip credit . . ." were well known and expected in the art by one of ordinary skill at the time of the invention; it would have been obvious to include the concept and the advantages of "wherein transferring the

organization scrip credit further comprises storing data in the scrip distributor account representing distributor scrip credit . . ." because such selection would have facilitated online individualized commercial transactions.

As per claim 31 Masi in view of Rosen shows the method of claim 30. (See the rejection of claim 30 supra).

Masi lacks an explicit recital of "wherein storing the data representing distributor scrip credit further comprises purchasing the distributor scrip credit from the merchant.

"*Official Notice*" is taken that both the concept and the advantages of "wherein storing the data representing distributor scrip credit further comprises purchasing the distributor scrip credit from the merchant. . ." were well known and expected in the art by one of ordinary skill at the time of the invention; it would have been obvious to include the concept and the advantages of "wherein storing the data representing distributor scrip credit further comprises purchasing the distributor scrip credit from the merchant. . ." because such selection would have facilitated online individualized commercial transactions.

As per claim 32 Masi in view of Rosen shows the method of claim 27. (See the rejection of claim 27 supra).

Masi lacks an explicit recital of "wherein transferring the member scrip credit from the scrip distributor account further comprises storing the data in the scrip distributor account

representing distributor scrip credit."

"Official Notice" is taken that both the concept and the advantages of "wherein transferring the member scrip credit from the scrip distributor account further comprise: storing the data in the scrip distributor account representing distributor scrip credit . . ." were well known and expected in the art by one of ordinary skill at the time of the invention; it would have been obvious to include the concept and the advantages of "wherein transferring the member scrip credit from the scrip distributor account further comprises storing the data in the scrip distributor account representing distributor scrip credit . . ." because such selection would have facilitated online individualized commercial transactions.

As per claim 33 Masi in view of Rosen shows the method of claim 32. (See the rejection of claim 32 supra).

Masi lacks an explicit recital of "wherein storing the data representing distributor scrip credit further comprises purchasing the distributor scrip credit from the merchant."

"Official Notice" is taken that both the concept and the advantages of "wherein storing the data representing distributor scrip credit further comprises purchasing the distributor scrip credit from the merchant . . ." were well known and expected in the art by one of ordinary skill at the time of the invention; it would have been obvious to include the concept and the advantages of "wherein storing the data representing distributor scrip credit further comprises purchasing the distributor scrip

credit from the merchant. . . ." because such selection would have facilitated online individualized commercial transactions.

As per claim 34 Masi in view of Rosen shows the method of claim 1. (See the rejection of claim 1 supra).

Masi lacks an explicit recital of "wherein automatically debiting further comprises automatically sending confirmation of the debit to the merchant."

"Official Notice" is taken that both the concept and the advantages of "wherein automatically debiting further comprises automatically sending confirmation of the debit to the merchant . . ." were well known and expected in the art by one of ordinary skill at the time of the invention; it would have been obvious to include the concept and the advantages of "wherein automatically debiting further comprises automatically sending confirmation of the debit to the merchant . . ." because such selection would have facilitated online individualized commercial transactions.

As per claim 35 Masi in view of Rosen shows the method of claim 34. (See the rejection of claim 34 supra).

Masi lacks an explicit recital of "wherein automatically sending the confirmation further comprises automatically sending the confirmation to the merchant at a merchant terminal over a network."

"Official Notice" is taken that both the concept and the advantages of "where automatically sending the confirmation further comprises automatically sending the confirmation to the merchant at a merchant terminal over a network . . ." were well known and expected in the art by one of ordinary skill at the time of the invention; it would have been obvious to include the concept and the advantages of "wherein automatically sending the confirmation further comprises automatically sending the confirmation to the merchant at a merchant terminal over a network . . ." because such selection would have facilitated online individualized commercial transactions.

As per claim 36 Masi in view of Rosen shows the method of claim 35. (See the rejection of claim 35 supra).

Masi lacks an explicit recital of "wherein automatically sending the confirmation further comprises automatically sending the confirmation to the merchant terminal over the network by at least one of a system manager at a system manager terminal and a scrip distributor at a scrip distributor terminal."

"Official Notice" is taken that both the concept and the advantages of "when automatically sending the confirmation further comprises automatically, sending the confirmation to the merchant terminal over a network by at least one of a system manager at a system manager terminal and a scrip distributor at a scrip distributor terminal . . ." were well known and expected in the art by one of ordinary skill at the time of the invention; it would have been obvious to include the concept and the advantages of "wherein automatically sending the confirmation further comprises automatically

sending the confirmation to the merchant terminal over a network by at least one of a system manager at a system manager terminal and a scrip distributor at a scrip distributor terminal . . ." because such selection would have facilitated online individualized commercial transactions.

As per claim 37 Masi in view of Rosen shows the method of claim 1. (See the rejection of claim 1 supra).

Masi lacks an explicit recital of "wherein automatically debiting further comprises automatically storing merchant loyalty point credit for the member in connection with transaction amount."

Masi (the ABSTRACT; FIG. 2; FIG. 3; col. 1, ll. 13-60; col. 3, ll. 62-64; col. 4, 4-65; and col. 5, ll. 1-67) shows elements that suggest "wherein automatically debiting further comprises automatically storing merchant loyalty point credit for the member it connection with the transaction amount." It would have been obvious to a person of ordinary skill in the art at the time of the invention that the disclosure of Masi (the ABSTRACT; FIG. 2; FIG. 3; col. 1, ll. 13-60; col. 3, ll. 62-64; col. 4, ll. 4-65; and col. ll. 1-67) would have been selected in accordance with "wherein automatically debiting further comprises automatically storing merchant loyalty point credit for the member in connection with the transaction amount . . ." because such selection would have provided a means "to attract potential customers."

As per claim 38 Masi in view of Rosen shows the method of claim 37. (See the rejection of claim 37 supra).

Masi lacks an explicit recital of "wherein storing further comprises automatically storing tuition credit for the member in connection with the transaction amount based attaining a threshold level of stored loyalty point credit."

Masi (col. 1, ll. 42-43) discloses providing "*enrollment incentives . . .*" The Examiner interprets "*enrollment incentives . . .*" as suggesting "tuition credit . . ."

Masi (the ABSTRACT; FIG. 2; FIG. 3; col. 1, ll. 13-60; col. 3, ll. 62-64; col. 4-65; and col. 5, ll. 1-67) shows elements that suggest "wherein storing further comprises automatically storing tuition credit for the member in connection with the transaction amount based on attaining a threshold level of stored loyalty point credit." It would have been obvious to a person of ordinary skill in the art at the time of the invention that the disclosure of Masi (the ABSTRACT; FIG. 2; FIG. 3; col. 1, ll. 13-60; col. 3, ll. 62-64; col. 4, ll. 4-65; and col. 5, ll. 1-67) would have been selected in accordance with "wherein storing further comprises automatically storing tuition credit for the member in connection with the transaction amount based on attaining a threshold level of stored loyalty point credit . . ." because such selection would have provided a means "to attract potential customers."

As per claim 39 Masi in view of Rosen shows the method of claim 1. (See the rejection of claim 1 supra).

Masi lacks an explicit recital of "wherein automatically crediting the merchant portion further comprises automatically determining the merchant portion according to predetermined merchant percentage of the transaction amount."

Masi (col. 1, ll. 43-45) discloses "*enrollment incentives to merchants . . . .*"

Masi (col. 3, ll. 38-40) discloses "*a credit of \$20 paid to the merchant account . . . .*"

Masi (col. 5,ll. 22-25; col. 5, ll. 53-54; and col. 4,ll. 30-67) shows elements that suggest "wherein automatically crediting the merchant portion further comprises automatically determining the merchant portion according to a predetermined merchant percentage of the transaction amount." It would have been obvious to a person of ordinary skill in the art at the time of the invention that the disclosure of Masi (col. 1,ll 43-45; col. 3, ll. 38-40; col. 5, ll. 22-25; col. 5, ll. 53-54; and col. 4, ll. 30-67) would ha, been selected in accordance with "wherein automatically crediting the merchant portion further comprises automatically determining the merchant portion according to a predetermined merchant percentage of the transaction amount . . . ." because such selection would have provided a means to '*provide enrollment incentives to merchants . . . .*' (See Masi (col. 1, ll. 43-45)).

As per claim 40 Masi in view of Rosen shows the method of claim 39. (See the rejection of claim 39 supra).

Masi (FIG. 2; and FIG. 3) shows elements that suggest "wherein automatically determining the merchant portion further comprises automatically consulting a look-up table for the predetermined merchant percentage."

Masi lacks an explicit recital of "wherein automatically determining the merchant portion further comprises automatically consulting a look-up table for the predetermined merchant percentage." It would have been obvious to a person of ordinary skill in the art at the time of the invention that the disclosure of Masi (FIG. 2; and FIG. 3) would have been selected in accordance with "wherein automatically crediting the merchant portion further comprises automatically determining the merchant portion according to a predetermined merchant percentage of the transaction amount . . ." because such selection would have provided a means to "*provide enrollment incentives to merchants . . .*" (See Masi (col. 1, ll. 43-45)).

As per claim 41 Masi in view of Rosen shows the method of claim 40. (See the rejection of claim 40 supra).

Masi (FIG. 2; and FIG. 3) shows elements that suggest "automatically consulting the look-up table. . . ."

Masi (FIG. 1; FIG. 2; FIG. 3; col. 1,ll. 43-45; col. 3,ll. 38-40; col. 5,ll. 22-25; col. 5,ll. 53-54; and col. 4,ll. 30-67) shows elements that suggest "storing the predetermined merchant percentage in the look-up table in a database. . . ."

Masi (FIG. 1, el. 18; and col. 3, ll. 23-27) discloses a "*network . . .*"

Masi lacks an explicit recital of "a scrip distributor terminal . . ." even though Masi (col. 3, ll. 23-27; col. 5, ll. 17-20; and col. 1, ll. 55-58) shows elements that suggest "a scrip distributor. . . ."

Rosen (the ABSTRACT; col. 3, ll. 46-47; col. 4, ll. 45-48) shows elements that suggest "a scrip distributor terminal."

Rosen proposes electronic money distribution modifications that would have applied to the non-cash transaction system of Masi. It would have been obvious to a person of ordinary skill in the art at the time of the invention to combine the electronic money distribution modifications of Rosen with the non-cash transaction system of h because such electronic money distribution modifications would have been provided means for distributing electronic money that was "*interchangeable with conventional paper money . . . .*" (See Rosen (col. 4, ll. 9-10)).

Masi (col. 4, ll. 4-13; FIG. 1, el. 26; col. 3, ll. 23-30; col. 5, ll. 17-20; and col. 1 55-58) in view of the disclosure of Rosen (the ABSTRACT; col. 3, ll. 46-47; col. 4, ll. 45-48) would have been selected in accordance with "wherein receiving; information further comprises receiving the information by at least one of a system manager at a system manager terminal and a scrip distributor at a scrip distributor terminal . . ." because such electronic money distribution would have provided means for distributing electronic money that was "interchangeable with conventional paper money. . . ." (See Rosen (col. 4, ll. 9-10)).

Masi lacks an explicit recital of "wherein automatically consulting the look-up table further comprises storing the predetermined merchant percentage in the look-up table in a database coupled over a network to at least one of a system manager terminal and a scrip distributor terminal." It would

have been obvious to a person of ordinary in the art at the time of the invention that the disclosure of Masi in view of Rosen would have been selected in accordance with "wherein automatically consulting the look-up table further comprises storing the predetermined merchant percentage in the look-up table in a database coupled over a network to at least one of a system manager terminal and a scrip distributor terminal . . ." because such selection would have provided a means to "*provide enrollment incentives to merchants . . .*" (See Masi (col. 1, ll. 45)).

As per claim 42 Masi in view of Rosen shows the method of claim 1. (See the rejection of claim 1 supra).

Masi (the ABSTRACT; FIG. 1; col. 2, ll. 13-62; col. 3, ll. 19-40; col. 3, ll. 42-4 col. 3, ll. 58-64; col. 4, ll. 12-14; col. 5, ll. 1-6; and col. 5, ll. 17-20) shows elements that suggest: "wherein automatically crediting the merchant portion. . ." And "a system manager. . ."

Masi lacks an explicit recital of "a scrip distributor . . ." even though Masi (col. 3, ll. 23-27; col. 5, ll. 17-20; and col. 1, ll. 55-58) shows elements that suggest "a scrip distributor . . ."

Rosen (the ABSTRACT; col. 3, ll. 46-47; col. 4, ll. 45-48) shows elements that suggest "a scrip distributor."

Rosen proposes electronic money distribution modifications that would have applied to the non-cash transaction system of Masi. It would have been obvious to a person of ordinary skill in the art at the time of the invention to combine the electronic money distribution modifications of Rosen with the non-cash transaction system of Masi because such electronic money distribution

modifications would have been provided means for distributing electronic money that was "*interchangeable with conventional, paper money . . .*" (*See Rosen* (col. 4, ll. 9-10)).

Masi (col. 4, ll. 4-13; FIG. 1, el. 26; col. 3, ll. 23-30; col. 5, ll. 17-20; and col. 1, ll. 55-58) in view of the disclosure of Rosen (the ABSTRACT; col. 3, ll. 46-47; col. 4, ll. 45-48) would have been selected in accordance with "wherein automatically crediting merchant portion further comprises automatically crediting the merchant portion of the transaction by at least one of a system manager and a scrip distributor . . ." because such electronic money distribution would have provided means for distributing electronic money that was "*interchangeable with conventional paper money . . .*" (*See Rosen* (col. 4, ll. 9-10)).

As per claim 43 Masi in view of Rosen shows the method of claim 42. (See the rejection of claim 42 supra).

Masi (FIG. 1, el. 18; and col. 3, ll. 23-27) discloses a "*network . . .*" Masi (the ABSTRACT; FIG. 1; col. 2, ll. 13-62; col. 3, ll. 19-40; col. 3, ll. 42-44; col. 3, ll. 58-64; col. 4, ll. 12-14; col. 5, ll. 1-6; and col. 5, ll. 17-20) shows elements that suggest: "wherein automatically crediting the merchant portion . . ." and "a system manager . . ."

Masi lacks an explicit recital of "a scrip distributor terminal . . ." even though Masi (col. 3, ll. 23-27; col. 5, ll. 17-20; and col. 1, ll. 55-58) shows elements that suggest "a scrip distributor terminal . . ."

Rosen (the ABSTRACT; col. 3,ll. 46-47; col. 4,ll. 45-48) shows elements that suggest "a scrip distributor terminal."

Rosen proposes electronic money distribution modifications that would have applied to the non-cash transaction system of Masi. It would have been obvious to a person of ordinary skill in the art at the time of the invention to combine the electronic money distribution modifications of Rosen with the non-cash transaction system of Ma because such electronic money distribution modifications would have been provided means for distributing electronic money that was "*interchangeable with conventional paper money . . .*" (See Rosen col. 4, ll. 9-10).

Masi (col. 4, ll. 4-13; FIG. 1, el. 26; col. 3,ll. 23-30; col. 5, ll. 17-20; and col. 1, 55-58) in view of the disclosure of Rosen (the ABSTRACT; col. 3,ll. 46-47; col. 4, ll. 45-48) would have been selected in accordance with "wherein automatically crediting the merchant portion by the system manager further comprises automatically crediting the merchant portion by the system manager at a system manager terminal coupled over a network to a database storing the merchant account . . ." because such electronic money distribution would have provided means for distributing electronic money that was "*interchangeable with conventional paper money . . .*" (See Rosen (col. 4, ll. 9-10)).

As per claim 44 Masi in view of Rosen shows the method of claim 43. (See the rejection of claim 43 supra).

Masi (FIG. 1, el. 18; and col. 3,ll. 23-27) discloses a "*network . . .*"

Masi (the ABSTRACT; FIG. 1; col. 2, ll. 13-62; col. 3, ll. 19-40; col. 3, ll. 42-44; col. 3, ll. 58-64; col. 4, ll. 12-14; col. 5, ll. 1-6; and col. 5, ll. 17-20) shows elements that suggest: "wherein automatically crediting the merchant portion. . . ."

Masi lacks an explicit recital of "a scrip distributor . . . ." and "a scrip distributor terminal . . . ." even though Masi (FIG. 1; col. 3, ll. 23-27; col. 5, ll. 17-20; and col. 1, ll. 55-58) shows elements that suggest "a scrip distributor . . . ." and "a scrip distributor terminal . . . ."

Rosen (the ABSTRACT; col. 3, ll. 46-47; col. 4, ll. 45-48) shows elements that suggest "a scrip distributor . . . ." and "a scrip distributor terminal . . . ."

Rosen proposes electronic money distribution modifications that would have applied to the non-cash transaction system of Masi. It would have been obvious to a person of ordinary skill in the art at the time of the invention to combine the electronic money distribution modifications of Rosen with the non-cash transaction system of M because such electronic money distribution modifications would have been provided means for distributing electronic money that was "*interchangeable with conventional paper money . . . .*" (See Rosen (col. 4, ll. 9-10)).

Masi (col. 4, ll. 4-13; FIG. 1, el. 26; col. 3, ll. 23-30; col. 5, ll. 17-20; and col. 1 55-58) in view of the disclosure of Rosen (the ABSTRACT; col. 3, ll. 46-47; col. 4, ll. 45-48) would have been selected in accordance with "wherein automatically crediting the merchant portion by the scrip distributor further comprises automatically crediting the merchant portion by the "a scrip distributor terminal . . . ." coupled over a network to a database storing the merchant account . . . ." because

such electronic money distribution would have provided means for distributing electronic money that was "*interchangeable with conventional paper money . . .*" (See Rosen (col. 4, ll. 9-10)).

As per claim 45 Masi in view of Rosen shows the method of claim 1. (See the rejection of claim 1 supra).

Masi (the ABSTRACT; FIG. 1; col. 2, ll. 13-62; col. 3, ll. 19-40; col. 3, ll. 42-44, col. 3, ll. 58-64; col. 4, ll. 12-14; col. 5, ll. 1-6; and col. 5, ll. 17-20) shows elements that suggest: "automatically crediting a predetermined balance portion of the transaction amount to the scrip distributor account . . ."

Masi lacks an explicit recital of "electronic scrip" even though Masi (col. 5, ll. 20; and col. 3, ll. 19-40) discloses "*an electronic fund transfer*" which suggests electronic scrip.

Rosen (the ABSTRACT; and col. 4, ll. 6-12) discloses "*electronic money*." The Examiner interprets the disclosure of "*electronic money*" as equivalent to "electronic scrip" within the context of the claims of the instant invention; therefore,

Rosen proposes "*electronic money*" modifications that would have applied to the non-cash transaction system of Masi. It would have been obvious to a person of ordinary skill in the art at the time of the invention that "*electronic money*" would have been selected in accordance with "electronic scrip" because such selection would have facilitated online commercial transactions; and it would have been obvious to a person, ordinary skill in the art at the time of the invention to combine the "*electronic money*" modifications of Rosen with the non-cash transaction system of Masi because

such "*electronic money*" would have been "*interchangeable with conventional paper money . . .*" (*See Rosen* (col. 4, ll. 9-10)).

Masi lacks an explicit recital of "a scrip distributor . . ." even though Masi (col. 3, ll. 23-27; col. 5, ll. 17-20; and col. 1, ll. 55-58) shows elements that suggest "a scrip distributor . . ." Rosen (the ABSTRACT; col. 3,ll. 46-47; col. 4, ll. 45-48) shows elements that suggest "a scrip distributor."

Rosen proposes electronic money distribution modifications that would have applied to the non-cash transaction system of Masi. It would have been obvious to a person of ordinary skill in the art at the time of the invention to combine the electronic money distribution modifications of Rosen with the non-cash transaction system of M because such electronic money distribution modifications would have been provided means for distributing electronic money that was "*interchangeable with conventional paper money . . .*" (*See Rosen* (col. 4,ll. 9-10)).

Masi lacks an explicit recital of "automatically crediting the predetermined balance portion to the scrip distributor account further comprises automatically determining the balance portion for the scrip distributor account according to a predetermined scrip distributor percentage of the transaction amount . . ."

It would have been obvious to a person-of ordinary skill in the art at the time of invention that the above "balance portion" disclosure of Masi in view of the above "scrip modifications of Rosen would have been selected in accordance with "automatically crediting the predetermined balance portion to the scrip distributor account further comprises automatically determining the

balance portion for the scrip distributor account according to a predetermined scrip distributor percentage of the transaction amount. . . . because such selection would have provided means for distributing loyalty incentives.

As per claim 46 Masi in view of Rosen shows the method of claim 45. (See the rejection of claim 45 supra).

Masi (FIG. 2; FIG. 3; the ABSTRACT; FIG. 1; col. 2, ll. 13-62; col. 3, ll. 19-40; col. 3, ll. 42-44; col. 3, ll. 58-64; col. 4, ll. 12-14; col. 5, ll. 1-6; and col. 5, ll. 17-20) shows elements that suggest "automatically determining the balance portion . . . ."

Masi lacks an explicit recital of "the scrip distributor . . . ." even though Masi (col. 3, ll. 23-27; col. 5, ll. 17-20; and col. 1, ll. 55-58) shows elements that suggest "the scrip distributor. . . ."

Rosen (the ABSTRACT; col. 3, ll. 46-47; col. 4, ll. 45-48) shows elements that suggest "a scrip distributor."

Rose proposes electronic money distribution modifications that would have applied to the non-cash transaction system of Masi. It would have been obvious to a person of ordinary skill in the art at the time of the invention to combine the electronic money distribution modifications of Rosen with the non-cash transaction system of Masi because such electronic money distribution modifications would have been provided means for distributing electronic money that was "*interchangeable with conventional paper money. . . .*" (See Rosen (col. 4, ll. 9-10)).

Masi lacks an explicit recital of "wherein automatically determining the balance portion for the scrip distributor account further comprise[sic] automatically consulting look-up table for the predetermined scrip distributor percentage." It would have been obvious to a person of ordinary skill in the art at the time of the invention that the disclosure of Masi (FIG. 2; FIG. 3; the ABSTRACT; FIG. 1; col. 2,ll.13-62; col. 3, ll. 19-40; col. 3,ll. 42-44; col. 3,ll. 58-64; col. 4,ll. 12-14; col. 5,ll. 1-6; and col. 5,ll. 17-20) in view of the disclosure of Rosen (the ABSTRACT; col. 3,ll. 46-47; col. 4, ll. 45-and col. 4,ll. 9-10) would have been selected in accordance with "wherein automatically determining the balance portion for the scrip distributor account further comprise[sic] automatically consulting a look-up table for the predetermined scrip distributor percentage . . ." because such selection would have provided a means to '*provide enrollment incentives to merchants . . .*' (See Masi (col. 1, ll. 43-45)).

As per claim 47 Masi in view of Rosen shows the method of claim 46. (See the rejection of claim 46 supra).

Masi (FIG. 1, el. 18; and col. 3, ll. 23-27) discloses a "*network . . .*"  
Masi (FIG. 1; col. 2,ll. 36-37; col. 2,ll. 41-42; and col. 2,ll. 51-52) shows a "*Terminal*" for "*data entry . . .*"

Masi lacks an explicit recital of "the scrip distributor . . ." even though Masi (c 3,ll. 23-27; col. 5,ll. 17-20; and col. 1, ll. 55-58) shows elements that suggest "the scrip distributor . . ."

Rosen (the ABSTRACT; col. 3, ll. 46-47; col. 4, ll. 45-48) shows elements that suggest "a scrip distributor."

Rosen proposes electronic money distribution modifications that would have applied to the non-cash transaction system of Masi. It would have been obvious to a person of ordinary skill in the art at the time of the invention to combine the electronic money distribution modifications of Rosen with the non-cash transaction system of M because such electronic money distribution modifications would have been provided means for distributing electronic money that was "*interchangeable with conventional paper money . . .*" (See Rosen (col. 4, ll. 9-10)).

Masi lacks an explicit recital of "wherein automatically consulting the look-up table further comprises storing the look-up table in a database coupled over a network, at least one of a system manager terminal and a scrip distributor terminal." It would have been obvious to a person of ordinary skill in the art at the time of the invention that the disclosure of Masi (FIG. 2; FIG. 3; the ABSTRACT; FIG. 1; col. 2, ll. 13-62; col. 3, ll. 19-40; col. 3, ll. 42-44; col. 3, ll. 58-64; col. 4, ll. 12-14; col. 5, ll. 1-6; and col. 5, ll. 1-20) would have been selected in accordance with "wherein automatically consulting the" look-up table further comprises storing the look-up table in a database coupled over a network to at least one of a system manager terminal and a scrip distributor terminal. . . ." because such selection would have provided a means to "*provide enrollment incentives to merchants . . .*" (See Masi (col. 1, ll. 43-45)).

As per claim 48 Masi in view of Rosen shows the method of claim 1. (See the rejection of claim 1 supra).

Masi (FIG. 2; FIG. 3; the ABSTRACT; FIG. 1; col. 2, ll. 13-62; col. 3, ll. 19-4 col. 3, ll. 42-44; col. 3, ll. 58-64; col. 4, ll. 12-14; col. 5, ll. 1-6; and col. 5, ll. 17-20) shows elements that suggest "automatically crediting the predetermined balance portion the sponsoring organization account further comprises automatically determining the balance portion for the sponsoring organization account according to a predetermined sponsoring organization percentage of the transaction amount."

Masi lacks an explicit recital of "wherein "automatically crediting the predetermined balance portion to the sponsoring organization account further comprise automatically determining the balance portion for the sponsoring organization account according to a predetermined sponsoring organization percentage of the transaction amount." It would have been obvious to a person of ordinary skill in the art at the time the invention that the disclosure of Masi (FIG. 2; FIG. 3; the ABSTRACT; FIG. 1; col. 2, ll. 13-62; col. 3, ll. 19-40; col. 3, ll. 42-44; col. 3, ll. 58-64; col. 4, ll. 12-14; col. 5, ll. and col. 5, ll. 17-20) would have been selected in accordance with "wherein "automatically crediting the predetermined balance portion to the sponsoring organization account further comprises automatically determining the balance portion for the sponsoring organization account according to a predetermined sponsoring organization percentage of the transaction amount . . ." because such selection would have provided a means to "*provide enrollment incentives to merchants . . .*" (See Masi (col. 1, ll. 43-45)).

As per claim 49 Masi in view of Rosen shows the method of claim 48. (See the rejection of claim 48 supra).

Masi (FIG. 2; FIG. 3; the ABSTRACT; FIG. 1; col. 2, ll. 13-62; col. 3,ll. 19-40; col. 3,ll. 42-44; col. 3,ll. 58-64; col. 4,ll. 12-14; col. 5,ll. 1-6; and col. 5,ll. 17-20) shows elements that suggest "automatically determining the balance portion . . . ."

Masi lacks an explicit recital of "wherein automatically determining the balance portion for the sponsoring organization account further comprises automatically consulting a look-up table for the predetermined sponsoring organization percentage. . . ." would have been obvious to a person of ordinary skill in the art at the time of the invention that the disclosure of Masi (FIG. 2; FIG. 3; the ABSTRACT; FIG. 1; col. 2, 13-62; col. 3,ll. 19-40; col. 3,ll. 42-44; col. 3,ll. 58-64; col. 4,ll. 12-14; col. 5,ll. 1-6; and col. 5, ll. 17-20) would have been selected in accordance with "wherein automatic determining the balance portion for the sponsoring organization account further comprises automatically consulting a look-up table for the predetermined sponsoring organization: percentage . . . ." because such selection would have provided a means to "*provide enrollment incentives to merchants . . . .*" (See Masi (col. 1, ll. 43-45)).

As per claim 50, Masi in view of Rosen shows the method of claim 49. (See the rejection of claim 49 supra).

Masi (FIG. 1, el. 18; and col. 3, ll. 23-27) discloses a "*network . . . .*"

Masi (FIG. 1; col. 2, ll. 36-37; col. 2, ll. 41-42; and col. 2, ll. 51-52) shows a "*Terminal*" for "*data entry . . . .*"

Masi lacks an explicit recital of "the scrip distributor . . . ." even though Masi (col. 3, ll. 23-27; col. 5, ll. 17-20; and col. 1, ll. 55-58) shows elements that suggest "the scrip distributor . . . ."

Rosen (the ABSTRACT; col. 3, ll. 46-47; col. 4, ll. 45-48) shows elements that suggest "a scrip distributor."

Rosen proposes electronic money distribution modifications that would have applied to the non-cash transaction system of Masi. It would have been obvious to a person of ordinary skill in the art at the time of the invention to combine the electronic money distribution modifications of Rosen with the non-cash transaction system of Masi because such electronic money distribution modifications would have been provided means for distributing electronic money that was "*interchangeable with conventional paper money . . . .*" (See Rosen (col. 4, ll. 9-10)).

Masi lacks an explicit recital of "wherein automatically consulting the look-u table further comprises storing the look-up table in a database coupled over a network at least one of a system manager terminal and a scrip distributor terminal." It would have been obvious to a person of ordinary skill in the art at the time of the invention that the disclosure of Masi (FIG. 2; FIG. 3; the ABSTRACT; FIG. 1; col. 2, ll. 13-62; col. 3, ll. 19-40; col. 3, ll. 42-44; col. 3, ll. 58-64; col. 4, ll. 12-14; col. 5, ll. 1-6; and col. 5, ll. 17-20) would have been selected in accordance with "wherein automatically consulting the look-up table further comprises storing the look-up table in a database

coupled over a network to at least one of a system manager terminal and a scrip distributor terminal. . . ." because such selection would have provided a means to "provide enrollment *incentives to merchants . . .*" (See Masi (col. 1,ll. 43-45)).

As per claim 51 Masi in view of Rosen shows the method of claim 48. (See the rejection of claim 48 supra).

Masi lacks an explicit recital of "wherein automatically determining the balance portion for the sponsoring organization account further comprises automatically deducts a previously received percentage of the transaction amount from the balance portion for the sponsoring organization account."

"Official Notice" is taken that both the concept and the advantages of "where automatically determining the balance portion for the sponsoring organization account further comprises automatically deducting a previously received percentage of the transaction amount from the balance portion for the sponsoring organization account. were well known and expected in the art by one of ordinary skill at the time of the invention; it would have been obvious to include the concept and the advantages of "wherein automatically determining the balance portion for the sponsoring organization account further comprises automatically deducting a previously received percentage of a transaction amount from the balance portion for the sponsoring organization account. . . ." because such selection would have provided a means to "*provide enrollment incentives to merchants . . .*" (See Masi (col. 1,ll. 43-45)).

Claim 52 is rejected for substantially the same reasons as claim 1.

Claim 53 is rejected for substantially the same reasons as claim 2.

Claim 54 is rejected for substantially the same reasons as claim 4.

Claim 55 is rejected for substantially the same reasons as claim 3.

Claim 56 is rejected for substantially the same reasons as claim 5.

Claim 57 is rejected for substantially the same reasons as claim 6.

As per claim 58 Masi in view of Rosen shows the system of claim 52. (See the rejection of claim 52 supra).

Masi (FIG. 1, el. 18; and col. 3, ll. 23-27) discloses a "*network . . .*"

Masi (FIG. 1; col. 2, ll. 36-37; col. 2, ll. 41-42; and col. 2, ll. 51-52) shows a "*Terminal*" for "*data entry . . .*"

Masi lacks an explicit recital of "the scrip distributor . . ." even though Masi (col. 3, ll. 23-27; col. 5, ll. 17-20; and col. 1, ll. 55-58) shows elements that suggest "the scrip distributor . . ."

Rosen (the ABSTRACT; col. 3,ll. 46-47; col. 4,ll. 45-48) shows elements that suggest "a scrip distributor."

Rosen proposes electronic money distribution modifications that would have applied to the non-cash transaction system of Masi. It would have been obvious to a person of ordinary skill in the art at the time of the invention to combine the electronic money distribution modifications of Rosen with the non-cash transaction system of N, because such electronic money distribution modifications would have been provided means for distributing electronic money that was "*interchangeable with conventional paper money . . .*" (See Rosen (col. 4, ll. 9-10)).

Masi lacks an explicit recital of "wherein automatically debiting means further comprises a merchant terminal coupled over a network to at least one of a system mangy terminal and a scrip distributor terminal." It would have been obvious to a person of ordinary skill in the art at the time of the invention that the disclosure of Masi (FIG. 2; FIG. 3; the ABSTRACT; FIG. 1; col. 2,ll. 13-62; col. 3,ll. 19-40; col. 3,ll. 42-44; col. 3, ll. 58-64; col. 4, ll. 12-14; col. 5, ll. 1-6; and col. 5, ll. 17-20) would have been selected in accordance with "wherein automatically debiting means further comprises a merchant terminal coupled over a network to at least one of a system manager terminal and a scrip distributor terminal . . ." because such selection would have facilitated online individualized commercial transactions.

As per claim 59 Masi in view of Rosen shows the system of claim 58. (See the rejection of claim 58 supra).

Masi (FIG. 1, el. 18; and col. 3,ll. 23-27) discloses a "network . . . "

Masi (FIG. 1; col. 2,ll. 36-37; col. 2,ll. 41-42; and col. 2,ll. 51-52) shows a "Terminal" for "data entry . . . "

Masi lacks an explicit recital of "a scrip manager terminal . . ." even though h (col. 3,ll. 23-27; col. 5,ll. 17-20; and col. 1,ll. 55-58) shows elements that suggest "a scrip manager terminal . . . "

Rose (the ABSTRACT; col. 3,ll. 46-47; col. 4,ll. 45-48) shows elements that suggest "a scrip manager terminal . . . "

Rosen proposes "scrip manager terminal . . ." modifications that would have applied to the non-cash transaction system of Masi. It would have been obvious to a person of ordinary skill in the art at the time of the invention to combine the electronic, money distribution modifications of Rosen with the non-cash transaction system of 1 because such "scrip manager terminal . . ." modifications would have been provided means for distributing electronic money that was "*interchangeable with convention, paper money . . .*" (See Rosen (col. 4, ll.9-10)).

Masi lacks an explicit recital of "wherein the debiting means further comprise database storing the member account coupled over the network to at least one of a system manager terminal and a scrip manager terminal." It would have been obvious to a person of ordinary skill in the art at the time of the invention that the disclosure of Masi (FIG. FIG. 3; the ABSTRACT; FIG. 1; col. 2,ll. 13-62; col. 3, ll. 19-40; col. 3, ll. 42-44; col. 3, ll. 58-64; col. 4, ll. 12-14; col. 5,ll. 1-6; and col. 5, ll. 17-20) would have been selected in accordance with "wherein the debiting means further comprises a

database storing the member account coupled over the network to at least one of a system manager terminal, and a scrip manager terminal . . ." because such selection would have facilitated online individualized commercial transactions.

As per claim 60 Masi in view of Rosen shows the system of claim 59. (See the rejection of claim 59 supra).

Masi lacks an explicit recital of "wherein the member account further comprises least one of the member scrip account, a member checking account, and a member savings, account."

"Official Notice" is taken that both the concept and the advantages of "where the member account further comprises at least one of the member scrip account, a member checking account, and a member savings account . . ." were well known and expected in the art by one of ordinary skill at the time of the invention; it would have been obvious to include the concept and the advantages of "wherein the member account further comprises: at least one of the member scrip account, a member checking account, and a member savings account . . ." because such selection would have facilitated online individualized commercial transactions.

As per claim 61 Masi in view of Rosen shows the method of claim 52. (See t rejection of claim 52 supra).

Masi (FIG. 1, el. 18; and col. 3, ll. 23-27) discloses a "*network* . . . "

Masi (FIG. 1; col. 2,ll. 36-37; col. 2,ll. 41-42; and col. 2,ll. 51-52) shows a "Terminal" for "data entry . . . ."

Masi (the ABSTRACT; FIG. 1; col. 2,ll. 13-62; col. 3,ll. 19-40; col. 3,ll. 42-44; col. 3, ll. 58-64; col. 4,ll. 12-14; col. 5,ll. 1-6; and col. 5,ll. 17-20) shows elements that suggest: "wherein the means for crediting the merchant portion . . . ." and "a system manager . . . ."

Masi lacks an explicit recital of "a scrip distributor terminal . . . ." even though Masi (col. 3,ll. 23-27; col. 5,ll. 17-20; and col. 1,ll. 55-58) shows elements that suggest "a scrip distributor terminal . . . ."

Rose (the ABSTRACT; col. 3,ll. 46-47; col. 4,ll. 45-48) shows elements that suggest "a scrip distributor terminal."

Rosen proposes electronic money distribution modifications that would have applied to the non-cash transaction system of Masi. It would have been obvious to a person of ordinary skill in the art at the time of the invention to combine the electronic money distribution modifications of Rosen with the non-cash transaction system of Masi, because such electronic money distribution modifications would have been provided means for distributing electronic money that was "*interchangeable with conventional paper money . . . .*" (See Rosen col. 4, ll. 9-10).

Masi lacks an explicit recital of "wherein the means for crediting the merchant portion further comprises a database storing the merchant account coupled over a network to at least one of a system manager terminal and a scrip distributor terminal . . . ."

Masi (col. 4,ll. 4-13; FIG. 1, el. 26; col. 3,ll. 23-30; col. 5,ll. 17-20; and col.

55-58) in view of the disclosure of Rosen (the ABSTRACT; col. 3,ll. 46-47; col. 4,ll. 45-48) would have been selected in accordance with "wherein the means for crediting merchant portion further comprises a database storing the merchant account coupled to a network to at least one of a system manager terminal and a scrip distributor terminal . . ." because such electronic money distribution would have provided means for distributing electronic money that was "interchangeable with conventional paper *money* . . ." (*See Rosen* (col. 4, ll. 9-10)).

As per claim 62 Masi in view of Rosen shows the method of claim 61. (See rejection of claim 61 supra).

Masi (FIG. 2; and FIG. 3) shows elements that suggest "a look-up table. . ."

Masi (FIG. 1; FIG. 2; FIG. 3; col. 1,ll. 43-45; col. 3, ll. 38-40; col. 5, ll. 22-25; col. 5, ll. 53-54; and col. 4,ll. 30-67) shows elements that suggest "the merchant portion stored the database . . ."

Masi lacks an explicit recital of: "wherein the means for crediting the merchant, portion further comprises a look-up table of predetermined merchant percentage for determining the merchant portion stored in the database . . ."

Masi (col. 4,ll. 4-13; FIG. 1, el. 26; col. 3,ll. 23-30; col. 5,ll. 17-20; and col. 1 55-58) would have been selected in accordance with "wherein the means for crediting merchant portion further comprises a look-up table of predetermined merchant percent for determining the merchant portion

stored in the database . . ." because such selection would have provided a means to '*provide enrollment incentives to merchants. . .*' (See Masi (col. 1, ll. 43-45)).

As per claim 63 Masi in view of Rosen shows the method of claim 52. (See rejection of claim 52 supra).

Masi (FIG. 1, el. 18; and col. 3, ll. 23-27) discloses a "*network . . .*"

Masi (FIG. 1; FIG. 2; FIG. 3; col. 1, ll. 43-45; col. 3, ll. 38-40; col. 5, ll. 22-25 col. 5, ll. 53-54; and col. 4, ll. 30-67) shows elements that suggest "the merchant portion stored in the database. . . ."

Masi lacks an explicit recital of "a scrip distributor . . ." and "a scrip distributor terminal . . ." even though Masi (col. 3, ll. 23-27; col. 5, ll. 17-20; and col. 1, ll. 55-5) shows elements that suggest "a scrip distributor . . ." and "a scrip distributor terminal. . . ."

Rosen (the ABSTRACT; col. 3, ll. 46-47; col. 4, ll. 45-48) shows elements that suggest "a scrip distributor terminal."

Rosen proposes electronic money distribution modifications that would have applied to the non-cash transaction system of Masi. It would have been obvious to a person of ordinary skill in the art at the time of the invention to combine the electronic money distribution modifications of Rosen with the non-cash transaction system of M because such electronic money distribution modifications would have been provided means for distributing electronic money that was "*interchangeable with conventional paper money . . .*" (See Rosen (col. 4, ll. 9-10)).

Masi (col. 4,ll. 4-13; FIG. 1, el. 26; col. 3,ll. 23-30; col. 5,ll. 17-20; and col. 1 55-58) in view of the disclosure of Rosen (the ABSTRACT; col. 3,ll. 46-47; col. 4,ll 45-48) would have been selected in accordance with "means for crediting the predetermined portion to the scrip distributor account further comprises a database storing the scrip distributor account coupled over a network to at least one of a system manager terminal and a scrip distributor terminal."

Masi lacks an explicit recital of "means for crediting the predetermined portion the scrip distributor account further comprises a database storing the scrip distributor account coupled over a network to at least one of a system manager terminal and a scrip distributor terminal." It would have been obvious to a person of ordinary skill in the art at the time of the invention that the disclosure of Masi in view of Rosen would have been selected in accordance with "means for crediting the predetermined portion to the scrip distributor account further comprises a database storing the scrip distributor account coupled over a network to at least one of a system manager terminal and a scrip distributor terminal . . ." because such selection would have provided a means to '*provide enrollment incentives to merchants . . .*' (see Masi (col. 1, ll. 43-45)) and because such scrip (i.e., electronic money) would have provided means for distributing electronic money that was "*interchangeable with conventional paper money . . .*" (See Rosen (col. 4,ll. 9-10)).

As per claim 64 Masi in view of Rosen shows the method of claim 63. (See rejection of claim 63 supra).

Masi (FIG. 2; and FIG. 3) shows elements that suggest "a look-up table. . . ."

Masi (FIG. 1; FIG. 2; FIG. 3; col. 1,ll. 43-45; col. 3,ll. 38-40; col. 5,ll. 22-25 col. 5,ll. 53-54; and col. 4,ll. 30-67) shows elements that suggest a "portion stored ii database . . . ."

Masi (the ABSTRACT; FIG. 1; col. 2,ll. 13-62; col. 3,ll. 19-40; col. 3,ll. 42-44; col. 3, ll. 58-64; col. 4,ll. 12-14; col. 5,ll. 1-6; and col. 5,ll. 17-20) shows elements t suggest: "means for crediting the predetermined balance portion to the scrip distributor account . . . ."

Masi lacks an explicit recital of "a scrip distributor . . . ." even though Masi (col. 3,ll. 23-27; col. 5,ll. 17-20; and col. 1, ll. 55-58) shows elements that suggest distributor . . . ."

Rosen (the ABSTRACT; col. 3,ll. 46-47; col. 4,ll. 45-48) shows elements that suggest "a scrip distributor."

Rosen proposes electronic money distribution modifications that would have applied to the non-cash transaction system of Masi. It would have been obvious to a person of ordinary skill in the art at the time of the invention to combine the elements and limitations of money distribution modifications of Rosen with the non-cash transaction system of Masi, because such electronic money distribution modifications would have been provided means for distributing electronic money that was "*interchangeable with conventional paper money. . . .*" (See Rosen (col. 4,ll. 9-10)).

Masi lacks an explicit recital of: "wherein the means for crediting the predetermined balance portion to the scrip distributor account further comprise a look-up table or predetermined scrip distributor percentage for determining the scrip distributor portion stored in the database." It would

have been obvious to a person of ordinary skill in the art at the time of the invention that the disclosure of Masi in view of Rosen would have been selected in accordance with "wherein the means for crediting the predetermined balance portion to the scrip distributor account further comprises a look-up table or predetermined scrip distributor percentage for determining the scrip distributor stored in the database . . ." because such selection would have provided a money distribution modifications of Rosen with the non-cash transaction system of Masi because such electronic money distribution modifications would have been provided means for distributing electronic money that was "*interchangeable with conventional paper money . . .*" (*See Rosen* (col. 4, ll. 9-10)).

As per claim 65, Masi in view of Rosen shows the system of claim 52.

Masi lacks an explicit recital of: "means for crediting the predetermined balance portion to the sponsoring organization account further comprises a database storing the sponsoring organization account coupled over a network to at least one of a system manager terminal and a scrip distributor terminal."

Masi (col. 4,ll. 4-13; FIG. 1, el. 26; col. 3,ll. 23-30; col. 5,ll. 17-20; and col. 55-58) in view of the disclosure of Rosen (the ABSTRACT; col. 3,ll. 46-47; col. 4, ll. 45-48) would have been selected in accordance with "means for crediting the predetermined balance portion to the sponsoring organization account further comprises a database storing the sponsoring organization account coupled over a network, at least one of a system manager terminal and a scrip distributor terminal . . ." because such selection would have provided a means to "*provide enrollment incentives r*

*merchants . . . .* " (see Masi (col. 1, ll. 43-45)) and because such scrip (i.e., electronic money) would have provided means for distributing electronic money that was "*interchangeable with conventional paper money . . . .*" (See Rosen (col. 4, ll. 9-10)).

As per claim 66 Masi in view of Rosen shows the method of claim 65. (See the rejection of claim 65 supra).

Masi (FIG. 2; and FIG. 3) shows elements that suggest "a look-up table. . . ."

Masi (FIG. 1; FIG. 2; FIG. 3; col. 1, ll. 43-45; col. 3, ll. 38-40; col. 5, ll. 22-25 col. 5, ll. 53-54; and col. 4, ll. 30-67) shows elements that suggest a "portion stored in the database . . . ."

Masi (the ABSTRACT; FIG. 1; col. 2, ll. 13-62; col. 3, ll. 19-40; col. 3, ll. 42-44; col. 3, ll. 58-64; col. 4, ll. 12-14; col. 5, ll. 1-6; and col. 5, ll. 17-20) shows elements that suggest: "means for crediting the predetermined balance portion to the sponsoring organization account . . . ."

Masi lacks an explicit recital of: "wherein the means for crediting the predetermined balance portion to the sponsoring organization account further comprises look-up table of predetermined sponsor organization percentage for determining the sponsor organization portion stored in the database." It would have been obvious to person of ordinary skill in the art at the time of the invention that the disclosure of Masi in view of Rosen would have been selected in accordance with "wherein the means for crediting the predetermined balance portion to the sponsoring organization account further comprises a look-up table of predetermined sponsor organization percentage for determining the sponsor organization

portion stored in the database. . . ." because such selection would have provided a means to "provide enrollment incentives to merchants . . . " (see Masi (col. 1, ll. 43-45)).

**NEW CLAIM REJECTIONS — 35 U.S.C. §103(a)**

2. Dependent claims 67-69 are rejected under U.S.C. §103(a) as being unpatentable over Masi in view of Rosen.

As per claim 67, Masi in view of Rosen shows the method of claim 1. (See the rejection of claim 1 supra).

Masi (col. 2, ll. 13-62; col. 3, ll. 19-40; col. 3, ll. 42-44; col. 3, ll. 58-64; (col. 4, ll. 12-14; col. 5, ll. 1-6; the ABSTRACT; FIG. 1; col. 2, ll. 13-62; col. 3, ll. 19-40; col. 3, ll. 42-44; col. 3, ll. 58-64; col. 4, ll. 12-14; col. 5, ll. 1-6; and col. 5, ll. 17-20) shows elements that suggest the elements and limitations of claim 67.

Masi lacks an explicit recitation of "providing a scrip clearing center having data processing resources. . . ."

Rosen (whole document) shows elements that suggest "providing a scrip clearing center having data processing resources. . . ."

Rosen proposes "scrip clearing center" modifications that would have applied to the system of Masi. It would have been obvious to a person of ordinary skill in the art at the time of the invention to combine the disclosure of Rosen with the teachings of Masi because

such selection would have provided a means to "*provide enrollment incentives for merchants . . .*" (*see Masi* (col. 1, ll. 43-45)) and because such scrip (i.e., electronic money) would have provided means for distributing electronic money that was "*interchangeable with conventional paper money . . .*" (*See Rosen* (col. 4, ll. 9-10)).

As per claim 68, Masi in view of Rosen shows the method of claim 67. (See the rejection of claim 67 supra).

Masi (col. 2, ll. 13-62; col. 3, ll. 19-40; col. 3, ll. 42-44; col. 3, ll. 58-64; (col. 4, ll. 12-14; col. 5, ll. 1-6; the ABSTRACT; FIG. 1; col. 2, ll. 13-62; col. 3, ll. 19-40; col. 3, ll. 42-44; col. 3, ll. 58-64; col. 4, ll. 12-14; col. 5, ll. 1-6; and col. 5, ll. 17-20) shows elements that suggest the elements and limitations of claim 68.

Masi lacks an explicit recitation of "crediting a predefined scrip sponsoring organization portion of the transaction amount to an account for the scrip sponsoring organization. . . ."

Rosen (whole document) shows elements that suggest "crediting a predefined scrip sponsoring organization portion of the transaction amount to an account for the scrip sponsoring organization. . . ."

Rosen proposes "scrip crediting" modifications that would have applied to the system of Masi. It would have been obvious to a person of ordinary skill in the art at the time of the invention to combine the disclosure of Rosen with the teachings of Masi because

such selection would have provided a means to "*provide enrollment incentives for merchants . . .*" (*see Masi* (col. 1, ll. 43-45)) and because such scrip (i.e., electronic money) would have provided means for distributing electronic money that was "*interchangeable with conventional paper money . . .*" (*See Rosen* (col. 4, ll. 9-10)).

As per claim 69, *Masi* (col. 2, ll. 13-62; col. 3, ll. 19-40; col. 3, ll. 42-44; col. 3, ll. 58-64; (col. 4, ll. 12-14; col. 5, ll. 1-6; the ABSTRACT; FIG. 1; col. 2, ll. 13-62; col. 3, ll. 19-40; col. 3, ll. 42-44; col. 3, ll. 58-64; col. 4, ll. 12-14; col. 5, ll. 1-6; and col. 5, ll. 17-20) shows elements that suggest the elements and limitations of claim 69.

*Masi* lacks an explicit recitation of "providing a scrip clearing center having data processing resources . . ."

*Rosen* (whole document) shows elements that suggest "providing a scrip clearing center having data processing resources . . ."

*Rosen* proposes "scrip clearing center" modifications that would have applied to the system of *Masi*. It would have been obvious to a person of ordinary skill in the art at the time of the invention to combine the disclosure of *Rosen* with the teachings of *Masi* because such selection would have provided a means to "*provide enrollment incentives for merchants . . .*" (*see Masi* (col. 1, ll. 43-45)) and because such scrip (i.e., electronic money) would have provided means for distributing electronic money that was "*interchangeable with conventional paper money . . .*" (*See Rosen* (col. 4, ll. 9-10)).

***(11) Response to Arguments***

Appellant's arguments (Appeal Brief, paper#17; filed 06/16/2003) concerning the obviousness claim rejections in the prior Office Action have been considered but are not persuasive for the following reasons:

**RESPONSE TO RELIANCE ON COMMON KNOWLEDGE IN THE ART OR  
“WELL KNOWN” PRIOR ART—2144.03**

As per the Official Notice evidence cited for claims 17, 20-36, 51 & 60, Applicant's arguments in the prior response (Amendment A, paper#13, filed 08/26/2002) failed to seasonably challenge the well known statements and statements based on personal knowledge [Official Notice] when they were made. (See MPEP 2144.03, August 2001, pp. 2100-129 and 2100-30). Therefore, the “Official Notice” or common knowledge or well-known in the art statements are taken to be admitted prior art.

As per claims 1 & 52, Applicant's argument (Amendment A, paper#17, p. 7, p. 8 & p. 9, ll. 1-16) alleges that “It is respectfully submitted that an electronic fund transfer of electronic money does not suggest or imply electronic scrip and the interpretation of electronic money as equivalent to electronic scrip within the context of the disclosure of the present invention, from which the definition of terms in the claims must be drawn.”

It is well settled in the law that although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

It is well settled in the law that a reference may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art, including non-preferred embodiments. (See *Merck & Co. Inc. V. Biocraft Laboratories Inc.*, 10 USPQ2d 1843 (CAFC 1989). And, furthermore, *In re Shepard*, 138 USPQ 148 (CCPA 1963) “In considering disclosure of reference patent, it is pertinent to point out not only specific teachings of patent but also the **reasonable inferences** which one skilled in the art would logically draw therefrom.”

In this case, Applicant's argument (Amendment A, paper#17, p. 8, ll. 19-20) admits that “a transfer of electronic scrip may be considered an electronic fund transfer because scrip is a type of fund. . . .”; furthermore, the claims do not explicitly define the interpretation of the term electronic scrip; therefore, based on said admission concerning electronic scrip, a person of ordinary skill in the art at the time of the invention would have reasonably inferred that what said admission suggests, i.e., that the references would have reasonably suggested to one having ordinary skill in the art and if based on Applicant's admission that “a transfer of electronic scrip may be considered an electronic fund transfer because scrip is a type of fund. . . .” then an electronic fund transfer of electronic money does suggest and/or imply

electronic scrip and the interpretation of electronic money as equivalent to electronic scrip, notwithstanding the disclosure in the specification of the instant invention.

As per claim 69, Applicant's argument (Amendment A, paper#17, p. 9, ll. 17-29, p. 10) asserts that "an electronic fund transfer of electronic money does not suggest or imply an electronic scrip clearing center and the interpretation of electronic money as equivalent to electronic scrip within the context of the disclosure of the present invention."

It is well settled in the law that although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

It is well settled in the law that a reference may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art, including non-preferred embodiments. (See *Merck & Co. Inc. V. Biocraft Laboratories Inc.*, 10 USPQ2d 1843 (CAFC 1989). And, furthermore, *In re Shepard*, 138 USPQ 148 (CCPA 1963) "In considering disclosure of reference patent, it is pertinent to point out not only specific teachings of patent but also the **reasonable inferences** which one skilled in the art would logically draw therefrom."

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the term electronic scrip; therefore, based on said admission concerning electronic scrip, a person of ordinary skill in the art at the time of the invention would have reasonably inferred that what said admission suggests, i.e., that the references would have reasonably suggested to one having ordinary skill in the art and if based on Applicant's admission that "a transfer of electronic scrip may be considered an electronic fund transfer because scrip is a type of fund. . ." then an electronic fund transfer of electronic money does suggest and/or imply electronic scrip and the interpretation of electronic money as equivalent to electronic scrip, notwithstanding the disclosure in the specification of the instant invention.

Applicant's argument (Amendment A, paper#17, p. 11, ll. 1-6 & p. 17) alleges that "the cited references, either alone or in combination, do not teach the limitations of independent claims 1, 52, or 69, the Examiner has failed to establish the required *prima facie* case of unpatentability." This is not the case.

It is well settled that the test for obviousness is not whether the claimed invention must be expressly suggested in any one or all of the references. Rather,

the test is what the teachings of the references would have suggested in the broadest interpretation to those of ordinary skill in the art. The examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary

skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992).

It is also well settled in the law that

35 U.S.C. 103 authorizes a rejection where, to meet the claim, it is necessary to modify a single reference or to combine it with one or more other references. After indicating that the rejection is under 35 U.S.C. 103, the examiner should set forth in the Office action:

( a ) the relevant teachings of the prior art relied upon, preferably with reference to the relevant column or page number(s) and line number(s) where appropriate,

( B ) the difference or differences in the claim over the applied reference(s),

( C ) the proposed modification of the applied reference(s) necessary to arrive at the claimed subject matter, and

( D ) an explanation why one of ordinary skill in the art at the time the invention was made would have been motivated to make the proposed modification.

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on applicant's disclosure. . . . (See MPEP 706.02(j)).

In this case, the Prior Office Action relies upon the combined teachings, suggestions and motivations found in the references as well as the knowledge generally available to one of ordinary skill in the art and does not include knowledge gleaned from the Applicant's disclosure. Furthermore, the Prior Office Action indicates the requisite "reasonable expectation of success" is established by virtue of combining the teachings of allowed patents cited as prior art references in the rejections. Furthermore, the combination of the teachings in the prior art references suggests all the claim limitations. Finally, the teachings and suggestions to make the claimed combinations and the reasonable expectation of success are both found in the prior art and not based on Applicant's disclosure; therefore, based

on the above response, *prima facie* obviousness is established in the prior Office Action for all of the claims of the instant invention.

Applicant's argument (Amendment A, paper#17, p. 11, ll. 7-29) alleges that "The Examiner has failed to establish the required *prima facie* case of unpatentability for . . . claims 2-51, 67, and 68 . . . and claims 53-66. . ." This is not the case.

First of all, recall that the Official Notice evidence cited for claims 17, 20-36, 51 & 60, is admitted by virtue of a lack of a seasonably challenge to said Official Notice evidence cited in a prior Office Action. Therefore, only claims 2-16, 18-19, 37-50, 53-59 & 62-68 are subject to this discussion.

In response to Applicant's argument (Amendment A, paper#17, p. 12, ll. 1-13, p. 13, p 14, p. 15, p. 16, p. 17, p. 18 & p. 19) which creates a general and fictional bundled statement of the elements and limitations of claims 2-51, 67, and 68 . . . and claims 53-66. . . . which includes claim elements in which obviousness evidence has been admitted and then alleges that "there is not teaching in the references" of said bundled elements and limitations, it s noted that Applicant's bundled assertion amounts to a general allegation that the claims define a patentable invention without specifically pointing out how the claim language distinguishes over the prior art, such as:

a transaction with a merchant using electronic scrip in which data identifying the member account and/or the member is entered from a magnetic stripe scrip card or a smart scrip card at the merchant terminal and automatically sent over the network to a system manager at the system manager terminal and/or a script distributor at the scrip distributor terminal as proposed in claims 2-18, 21, 22, and/or 53-59.

**(12) Examiner's Answer, Conclusion**

For all of the reasons stated above, Appellant's brief fails to overcome the obviousness rejections of claims 1-69. And for the above stated reasons, the rejections must be sustained.

Respectfully presented,

John L. Young  
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JLY 07/25/2003 (conf.)

SG (conf.) *SG*

RA (conf.) *RA*

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